

MEMORANDUM

Agenda Item No. 6(C)

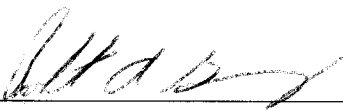
TO: Hon. Chairperson and Members
Board of County Commissioners

DATE: (Second Reading 5-6-03)
April 8, 2003

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Ordinance creating and
establishing the Fontainebleau
Municipal Advisory Committee

The accompanying ordinance was prepared and placed on the agenda at the request of Sen. Javier D. Souto.



Robert A. Ginsburg
County Attorney

RAG/jls



MEMORANDUM

TO: Honorable Chairperson and Members
Board of County Commissioners

DATE: May 6, 2003

FROM: Steve Shiver
County Manager

SUBJECT: Ordinance creating and
establishing the Fontainebleau
Municipal Advisory Committee

This ordinance serves as a continuation of the Fontainebleau Municipal Advisory Committee (MAC) because the committee's advisory report will not be completed prior to one year from the date that the MAC was created. County staff is already assigned to the MAC so consequently, Miami Dade County will not incur any additional costs.



MEMORANDUM

(Revised)

TO: Honorable Chairperson and Members
Board of County Commissioners

DATE: May 6, 2003

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No. 6(C)

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☐ No committee review

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 6(C)
5-6-03

ORDINANCE NO. _____

ORDINANCE CREATING AND ESTABLISHING THE FONTAINEBLEAU MUNICIPAL ADVISORY COMMITTEE; DIRECTING COUNTY STAFF TO PREPARE A STUDY OF THE POSSIBLE CREATION OF A NEW MUNICIPALITY IN THE AREA OF FONTAINEBLEAU; PROVIDING WAIVER OF SECTION 2-11.37(c) OF THE CODE OF MIAMI-DADE COUNTY; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE, AND AN EFFECTIVE DATE

WHEREAS, pursuant to Resolution No. R-598-02 (Attachment A) a Fontainebleau Municipal Advisory Committee was created; and

WHEREAS, it is anticipated that the Committee's advisory report will not be completed prior to one year from the date that the Committee was created pursuant to resolution; and

WHEREAS, pursuant to the Code of Miami-Dade County, Section 2-11.36.1, committees that will exist for a year or more shall be created by ordinance,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. **Creation of the Fontainebleau Municipal Advisory Committee; composition.**

There is hereby created a Fontainebleau Municipal Advisory Committee consisting of nine (9) members. The current members of the Fontainebleau Municipal Advisory Committee established pursuant to R-598-02 are hereby appointed to the Fontainebleau Municipal Advisory Committee established pursuant to this ordinance. The appointments herein shall become effective immediately upon each approved member filing with the Clerk of the County Commission his or her acceptance of such appointment and oath of office. Any vacant position shall be filled by appointment of the County Commission. The members of the

committee shall select such other officers from the membership thereof as may be desirable or necessary.

Section 2. **Purposes.**

- (1) To review the possible incorporation of an area generally described by the following boundaries:

On the East: N.W. 87th Avenue

On the West: N.W. 107th Avenue

On the South: Flagler Street

On the North: N.W. 25th Street

It is provided, however, that the Committee as established herein may expand or contract the study area.

- (2) To prepare an advisory report which shall address the results of the study prepared by County staff and the incorporation concerns of both members of the Board of County Commissioners and of the County staff and the manner in which those concerns may be alleviated in the event Fontainebleau is incorporated as a new municipality.

Section 3. **Duties and responsibilities.**

- (1) The Committee shall conduct not less than two duly advertised public hearings at which citizens residing in the area shall have the opportunity to express their views and concerns regarding the proposed incorporation of Fontainebleau.
- (2) Prior to the first public hearing, the committee shall meet with the District Commissioner and County staff and review concerns regarding incorporation, shall have reviewed the tape of the County Commission workshop on Incorporation held on January 14, 1999, and shall be familiar with written materials concerning incorporation presented to the Board of County Commissioners at that time and at any subsequent meeting or workshop.

- (3) The Committee's responsibilities shall terminate upon submission of its report.

Section 4. The requirement of Section 2-11.37(c) of the Code of Miami-Dade County is hereby waived.

Section 5. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 6. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall be excluded from the Code of Miami-Dade County, Florida.

Section 7. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:

RA6

Prepared by:

CHC

Craig H. Collier

Sponsored by Senator Javier D. Souto

MEMORANDUM

Agenda Item No. 9(A)(1)


TO: Hon. Chairperson and Members
Board of County Commissioners

DATE: June 4, 2002

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Resolution creating and
establishing the Fontainebleau
Municipal Advisory Committee

The accompanying resolution was prepared and placed on the agenda at the request of Sen.
Javier D. Souto.


Robert A. Ginsburg
County Attorney

RAG/jls


ATTACHMENT A



MEMORANDUM

TO: Honorable Chairperson and Members
Board of County Commissioners

DATE: June 4, 2002

FROM: 
Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No. 9(A)(1)

Please note any items checked.

- ☐ "4-Day Rule" (Applicable if raised)
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of private business sector impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ "Sunset" provision required
- ☐ Legislative findings necessary

Approved _____ Mayor

Veto _____

Override _____

Agenda Item No. 9(A)(1)
6-4-02

OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
DADE COUNTY, FLORIDA

RESOLUTION NO. R-598-02

RESOLUTION CREATING AND ESTABLISHING THE
FONTAINEBLEAU MUNICIPAL ADVISORY COMMITTEE;
DIRECTING THE COUNTY STAFF TO PREPARE A STUDY
OF THE POSSIBLE CREATION OF A NEW MUNICIPALITY
IN THE AREA OF FONTAINEBLEAU

WHEREAS, a group of residents has expressed an interest in studying the feasibility of a
municipality in the Fontainebleau area; and

WHEREAS, such residents recognize the serious implications of creating a new
municipality, both for the residents of the proposed municipality areas and for the remaining
residents of the unincorporated area, and therefore desire to work with Miami-Dade County Staff
to address these implications; and

WHEREAS, this Board desires to determine whether to proceed with the incorporation
process,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY
COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:**

Section 1. The proposed study area for the incorporation of the City of Fontainebleau
includes the following generally described area:

On the East: N.W. 87th Avenue

On the West: N.W. 107th Avenue

On the South: Flagler Street

On the North: N.W. 25 Street

It is provided, however, that the Committee as established herein may expand or contract the study area.

Section 2. The Fontainebleau Municipal Advisory Committee is hereby created consisting of nine (9) members. Once members resumes and letters requesting an appointment are submitted, the District 10 Commissioner will select nominees and present them to the Board of County Commissioners for final approval. The appointments herein shall become effective immediately upon each approved member filing with the Clerk of the County Commission his or her acceptance of such appointment and oath of office. Vacancies shall be filled in the same manner. The members of the Committee shall select such other officers from the membership thereof as deemed necessary or desirable.

Section 3. The Committee shall conduct no less than two duly advertised public hearings at which residents of the area shall have the opportunity to express their views and concerns regarding the proposed incorporation of the City of Fontainebleau.

Section 4. Prior to the first public hearing, the Committee shall meet with the District Commissioner and County Staff to review concerns regarding incorporation. The Committee shall have reviewed the tape of the County Commission workshop on Incorporation held on January 14, 1999, and shall be familiar with written materials concerning incorporation presented to the Board of County Commissioners at that time and at any subsequent meeting or workshop.

Section 5. Prior to the first public hearing staff from the County Manager's Office, the Department of Planning and Zoning and the Office of Management and Budget shall prepare

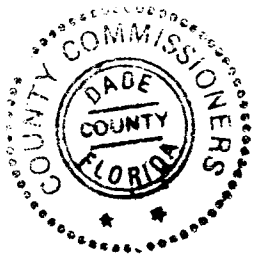
a report concerning the proposed incorporation, according to the procedures and guidelines contained in Section 20-22(A) and (B) and Section 20-23(B) of the Code of Miami-Dade County and shall prepare a study to be reviewed by the Committee and presented at the public hearings.

Section 6. The Committee shall render an advisory report within one year from the date of adoption of this Resolution which shall address the results of the study prepared by County staff, as well as the incorporation concerns of members of the Board of County Commissioners and the manner in which those concerns may be alleviated in the event Fontainebleau is incorporated as a new municipality. The Committee's responsibilities shall terminate upon the submission of its report.

The foregoing resolution was sponsored by Sen. Javier D. Souto and offered by Commissioner ~~Dr. Barbara Carey-Shuler~~, who moved its adoption. The motion was seconded by Commissioner ~~Gwen Margolis~~ and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro	absent	Jose "Pepe" Cancio, Sr.	aye
Dr. Barbara Carey-Shuler	aye	Betty T. Ferguson	aye
Gwen Margolis	aye	Joe A. Martinez	absent
Jimmy L. Morales	absent	Dennis C. Moss	absent
Dorrian D. Rolle	absent	Natacha Seijas	aye
Katy Sorenson	aye	Rebeca Sosa	absent
Sen. Javier D. Souto		aye	

The Chairperson thereupon declared the resolution duly passed and adopted this 4th day of June, 2002. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.



MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: **KAY SULLIVAN**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in black ink, appearing to be "C. Coller", written over a horizontal line.

Craig H. Coller